

## Larkin Guilty; Born a Briton Record Shows

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declaration that "it would be a crime against Gitlow and Minitsky [already convicted of criminal anarchy] if Larkin is freed."

**Court Defines Anarchy**  
Justice Weeks then made his charge in which he explained the criminal anarchy statute at great length, ruling it to be constitutional; that although the law permitted free speech it did not permit license; that any one had a right to advocate the overthrow of the government but by lawful means, and read from the left wing manifesto the portions alleged to advocate the overthrow of the United States by unlawful means.

"I understand that the defendant holds that the manifesto does not advocate the overthrow of the government," said Justice Weeks, "but its change through education, enlightened education which will bring a new attitude of mind on the part of the people. Whether this is true is for you to decide. The meaning of the words must be taken in their ordinary sense."

The portion referred to by the court says that it is not the intention of the revolutionary Socialists to capture the state, but to "conquer and destroy it." Justice Weeks also read several requests to charge submitted by Larkin, in addition to a sheet of instructions, apparently written by a lawyer, which the former unwittingly handed to the court. Those instructions advised Larkin how to act in the event of rulings against him. Justice Weeks remarked that it was evident Larkin had the advice of a lawyer.

**Says Lawyer Gave Hints**  
Larkin, questioned after the jury had announced its verdict, denied that he had received the advice of a lawyer during the trial, and said it was a friendly Irish lawyer, John J. O'Leary, who had given him these instructions just as court opened.

In the controversy that followed between Larkin and Justice Weeks, Larkin remarked that if Justice Weeks were a "gentleman" would not have read these instructions.

Larkin had previously asked Justice Weeks to charge the jury to disregard any prejudice against him, and from the beginning of the trial when he asked for another judge that Justice Weeks has always thought him guilty.

In that period that followed hundreds of friends and sympathizers of Larkin stood outside of the courtroom discussing his chances of acquittal or release through a disagreement of the jury. When the jury reported ready, Larkin, escorted by several detectives, entered the courtroom, his face composed looking to the front of him and was led to the brass railing separating the courtroom from the spectators' benches.

The jury filed in quickly, several with angry, flushed faces, followed by Justice Weeks, who announced when the jurors' names were read that "whatever the verdict of this jury there must be no expression of approval or disapproval."  
When the verdict was announced Larkin stood motionless. Murmurs from the spectators were silenced by the court attendants. One young woman began to cry aloud.

**Prisoner Admits Convictions**  
Larkin's pedigree was then taken. He answered all questions in a firm voice reiterating that his place of birth was in Ireland, and that although he had been convicted twice, in one case where he was charged with sedition he was freed after serving a short part of the sentence, and that the other charge that he had misused the funds of a union which he was an officer, but that twenty-two of twenty-four counts against him were dropped, and although he was sentenced to twelve months, he was shortly afterwards released on a "free pardon."

He was questioned about these convictions at great length, but stuck to his story. Then Justice Weeks read from a document which stated that Larkin had been indicted in June, 1910, with James Fearon and Daniel Coveney for alleged conversion of funds and found guilty to twenty-two of twenty-four counts and sentenced June 17, 1910, to twelve months at hard labor.

Larkin, however, stoutly maintained that his recollection of the case was correct and that the original charge against him of obtaining \$400 under false pretenses was reduced to "one and three pence."

Justice Weeks then asked Larkin whether he still maintained that in a speech he made at Manhattan Lyceum in order to raise funds for Benjamin

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Gitlow while his own trial was on he had not said that the "Communists would march forward with red flags on their bayonets," and Larkin replied that it was "a deliberate lie."

Justice Weeks referred to the occasion a few days ago when Larkin was held in contempt for charging that the court and District Attorney were trying to obscure the issues of his case by meaningless interruptions, saying that while Larkin was constantly charging the court with prejudice and bias the court had been equally lenient and had revoked the commitment at that time.

When the court suggested that Larkin and "beggars off," Larkin burst in with: "You know that's not true. You know I never begged of you." Another of the many disputes followed, in which Larkin reiterated his opinion that the issue of July 5, which contained the left wing manifesto, was an unprejudiced trial and announced his intention of appealing the case to a higher court.

Larkin was indicted last November in company with many others charged with having participated in the printing of "The Revolutionary Age," in special issue of July 5, which contained the left wing manifesto. This document discussed the necessity of a change in the form of this government, and it was the contention of the Assistant District Attorney that it urged this change by illegal means. Under the criminal anarchy statute Larkin may receive from five to ten years in prison.

**Graubard, a Slacker, Forced Into Army, Is Sent to Jail as Red**

Meyer Graubard, twenty-five, of 107 Forsyth Street, Manhattan, was sentenced to an indeterminate term in New York County penitentiary yesterday by Justice Charles J. McDermott. Graubard is the last of six men charged with advocating criminal anarchy, who were taken in a raid made on a hall in Grand Street in November last.

Graubard pleaded guilty to the charge and pleaded in defense his American citizenship and term of army service. The trial showed that the man had evaded the draft and had served a term in Trenton jail for the offense, being inducted into the army medical corps at the conclusion of his sentence. Judge McDermott scathing, he arraigned the man as he pronounced sentence.

"You were convicted of evading the draft and said at that time that you preferred to be shot rather than put in a uniform," he said. "Moreover, last week when you were brought to jail, I am informed that you said that you would continue to defy the law and that in case you were sent to the penitentiary you would bring political influence to bear to lighten your sentence. From the very beginning your case has been one of defiance of law. Let me impress this upon you, if you or anybody else thinks you can bring political influence to sway me in my administration of justice, let me see you produce such a politician. The man doesn't live who can sway me from my duty as a judge in this court."

**Canadian Rail Demands Up**  
MONTREAL, April 27.—Negotiations were opened here to-day between the Canadian Association of Railways and the Shoppers' Union regarding employees' demands for 90 cents an hour and a 44-hour week.

## U. S. Officials Hint at Port Strike Arrests

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on the various roads all but disappeared yesterday with the resumption of normal passenger service on the Erie Railroad. It was stated by the managers that all of the volunteer crews had been released with thanks and that the passenger service on all the lines is being handled by regular trainmen. The Erie reports that its freight service was normal west of Port Jervis and about 60 per cent normal between that town and New York.

**Hearing To-morrow**  
Freight conditions were reported considerably improved on all the other lines, with promises that the end of the week would see all shipments moving on normal schedules. Heads of the lines say that the last of the bitter ends are fast losing heart and that the men are reporting for work in ever increasing numbers. The West Shore reported 150 returned yesterday. The railroad managers were so optimistic about the situation that they have dispensed with their daily conference.

The Hudson tubes resumed service to Newark yesterday, thus bringing downtown New York once again in touch with the Manhattan Transfer. The service will only be maintained, however, from 7:30 a. m. to 6:30 p. m. daily until further notice. The hearing on the fare increase will take place to-morrow at 10 a. m., at the office of the Interstate Commerce Commission, 17 East Thirty-sixth Street.

## Railroad Strikers Appeal to Congress

WASHINGTON, April 27.—Members of the Senate and House were asked to-day by representatives of the striking railroad men to use their influence with President Wilson to the end that the Railroad Labor Board might hear their demands for increased pay.

The spokesmen said the strikers had found it impossible to maintain themselves and their families on the pay they were receiving, and had quit work in protest against delays in the adjustment of the wage controversy.

The appeal was in the form of a joint letter, which declared that the men had asked the board to consider their demands and give a definite answer within ten days. The board has refused to hear the complaints on the ground that they had not reached it in the manner prescribed by law.

The letter was signed by T. J. Mischel, Kansas City Yardsmen's Association; Francis P. Boland, New Jersey Yardsmen's Association; M. T. Henley, New York Harbor district; A. K. Mahany, Cleveland Yardsmen's Association; Alfred G. Buchle, Machinists' Association of New York; and Robert J. Mitchell, Chicago Engineers' Association.

Chairman Barton of the Federal Railroad Labor Board announced that the board was considering granting a hearing on the wage demands of workers on the short line railroads.

The board refused hearings on the wage demands of striking railroad employees at Philadelphia and Pittsburgh and the non-recognized Chicago Express and Freight Handlers' Union.

Timothy Shea, vice-president of the Brotherhood of Locomotive Firemen, told the Board that the employee's wage demands would be presented to the Short Lines by to-morrow. This was necessary, he said, in order to comply with provisions of the transportation act, which require conference between employer and employee before a case can be brought before the Labor Board.

Shea continued to-day the presentation of the firemen's demands, calling attention to the particular hardships of their work. He asked the Board

to grant relief to the men on duty on the larger engines, either by requiring the installation of automatic firing machines, or placing an additional fireman on duty. Firemen at present, he said, are compelled to perform labor much greater than the capacity of an ordinary man.

## Senators Clash When McKean Assails Sims

**Admiral's Charges Declared "Monstrous" by Navy Witness in Investigation**

WASHINGTON, April 27.—Sharp criticism of Rear Admiral Sims, voiced to-day before the Senate naval investigating committee by Rear Admiral J. S. McKean, former assistant chief of naval operations, resulted in a tilt between Chairman Hale and Senator Trammell, Democrat, of Florida, when Admiral McKean was reprimanded by Senator Hale for indulging in "personalities."

The officer declared he was only following a precedent set by Admiral Sims in his testimony, while Senator Trammell remarked that the chairman's objections to personalities had not run against Admiral Sims' "snappy comments."

Admiral McKean, whose appearance followed completion of the cross-examination of Captain W. V. Pratt, who had been on the stand several days, insisted that he was not seeking to defend Secretary Daniels or to "dam Sims" in what he said.

Admiral Sims' charge that delays on the part of the Navy Department early in the war prolonged hostilities four months and cost 500,000 additional lives was "monstrous," Admiral McKean said, adding that if it had been made by a patient in the "government insane asylum" it could be understood, but that coming from "a rear admiral on the active list, the head of the Naval War College, it was an insult to every officer and man in the navy or who served in the navy during the war."

## Miners Reject 15 Per Cent. Increase

**Latest Plan to Adjust Differences Is Futile; Conference to Continue**

The general scale committee of the anthracite coal miners announced at the conclusion of its meeting yesterday afternoon that it had rejected the proposal of the mine operators advanced in reply to the modified offer of the miners.

The miners on the sub-committee that is endeavoring to reach some basis of agreement at first demanded a six-hour day, a 60 per cent increase and a closed shop. After much protest from the operators, who refused even to discuss such demands, the miners modified them to an eight-hour day, a 30 per cent increase and the closed shop.

Operators on the sub-committee then made a counter proposal, denying the eight-hour day and the closed shop, but offering a 15 per cent increase in pay. It was this proposal that the scale committee turned down yesterday.

Further negotiations by the sub-committee probably will ensue. In discussing the situation mine workers' representatives said last night that if this proposal of the operators proved to be final the next move would be a referendum of the question to a tri-district convention of mine workers for final action. Upon this convention, it was said, would rest the responsibility of calling a strike.

Shea continued to-day the presentation of the firemen's demands, calling attention to the particular hardships of their work. He asked the Board

## Staten Island Is Trolleyless By Walk-Out

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Island that if such a thing does happen, we will meet that situation, too." More than 10,000 persons are said to use the trolley lines every morning and evening during the rush hours. Staten Islanders were skeptical if fifty extra buses would be enough to take care of that number.

The men are asking an increase in pay from 45 to 75 cents an hour. They have hinted to the company that they would compromise on 65 cents an hour. Reply officials of the trolley lines offered a 5-cent per hour increase, which was rejected.

**I. R. T. Ultimatum Denied**  
Reports that the 14,000 employees on the elevated and subway lines of the Interborough Rapid Transit Company had presented an ultimatum that unless they received a 25 per cent increase in pay they would strike were definitely denied yesterday by both the company and the employees.

The executive committee of the Brotherhood of Interborough Employees, after meeting at 150 East Forty-second Street, sent a delegation, headed by Patrick J. Connolly, the acting president, to confer with Frank Hedley, president of the Interborough

at 165 Broadway, regarding working and wage conditions. "There is not the slightest prospect of a strike," said Mr. Connolly. "We postponed for two weeks any consideration of the question of giving the men 25 per cent more pay. When the strike was settled last August it was with the understanding that in addition to a 25 per cent increase then granted a demand for 25 per cent more would be arbitrated. It has never been arbitrated and we are not now urging that it be arbitrated."

James L. Quackenbush, counsel for the Interborough, said the company had reason to believe that "strikes were a thing of the past so far as the company is concerned."

**CAMDEN, N. J., April 27.**—The Public Service Railway Company of New Jersey to-day announced a voluntary increase of 10 per cent in wages for 6,500 men, effective May 1. One hundred and forty-six cities in New Jersey will be affected. The change will involve an additional outlay of \$1,200,000.

Announcement was also made that 200 one-man trolleys will be operated in northern divisions of New Jersey.

**Ban on Teachers' Unions**  
SAN FRANCISCO, April 27.—Members of the teachers' and firemen's unions, recently organized here, received notices by mail to-day from the Board of Education and the Board of Supervisors that they must give up labor union affiliations or lose their positions.

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**Iceland and Three Other Nations Would Enter League**  
WASHINGTON, April 27.—The applications of Iceland, the Republic of Georgia, San Marino and Luxembourg for admission to the league of nations are expected to come before the meeting of the Council of the League to be held in Rome within the next few days, it was announced here to-day.

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